

REMARKS/ARGUMENTS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 1, 6, 9 - 12, 20, 23, 24, 26 and 27 are presently pending, with claims 2 - 5, 8, 13 - 19, 21, 22 and 25 having previously been canceled. Claim 7 is presently canceled without prejudice of disclaimer.

Claim 1 is amended without the introduction of new matter. Support for the amendments may be found, for example, with reference to Applicants' specification at page 16, line 24 through page 21, line 26, and with reference to Applicants' FIGs. 1A, 1B, 2 and 3.

Claims 1, 6, 9 - 12, 20, 23, 24, 26 and 27 remain pending with the entry of this Amendment.

II. Objections to the Drawings

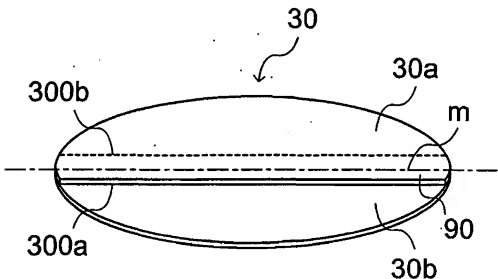
The drawings are objected to under 37 C.F.R. § 1.83(a) as failing to show claimed features. Specifically, the Examiner finds that the drawings fail to show "a longitudinal central line that is closes to a side of one of the sheet pieces that the other as described in the specification and recited in claim 1. Applicants respectfully disagree.

At page 19, line 24 through page 20, line 11, Applicants describe the positioning of small sheet pieces 30a, 30b as follows:

With respect to the small sheet piece 30a, the small sheet piece 30b is positioned so as to cover the side closer to the longitudinal central line m and is disposed at the absorbent body 40 side (referred to hereinafter as the "inner side") at the longitudinal seam part 90. Meanwhile, the other small sheet piece 30a, which overlaps with the small sheet piece 30b at the longitudinal seam part 90, is positioned to the outer side

(Emphasis added).

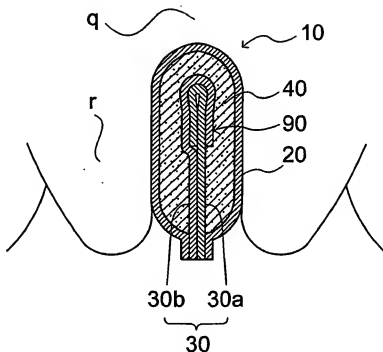
Applicants depict the positioning of small sheet pieces 30a, 30b in FIG. 2:



In view of the positioning of small sheet pieces 30a, 30b as depicted in FIG. 2, Applicants submit that the description in the specification at page 19, lines 24 and 25 must properly be interpreted to read “[with] respect to the small sheet piece 30a, the small sheet piece 30b is positioned so as to cover the side [of small sheet piece 30a that is closest] to the longitudinal central line m” (emphasis added). In other words, small sheet piece 30b is arranged to cover the end part

300a of the small sheet 30a, which defines the side of small sheet piece 30a that is closest to the longitudinal central line m.

As FIG. 2 illustrates an orientation of back face side sheet 30 in which a portion of small sheet piece 30a can be said to cover a portion of small sheet piece 30b, Applicants submit that the above-presented interpretation of the description at page 19, lines 24 and 25 may be more clearly illustrated in FIG. 3:



As shown in FIG. 3, the portion of small sheet piece 30b at longitudinal seam part 90 “covers” a portion of small sheet piece 30a that includes the end part 300a. With reference in addition to FIG. 2, it again is apparent that end part 300a constitutes a side of small sheet piece 30a that is closest to longitudinal central line m.

Applicants amend claim 1 to clarify this positioning relationship between small sheet pieces 30a and 30b, , and respectfully request that the objection to the drawing under 37 C.F.R. § 1.83(a) be withdrawn.

III. Rejections under 35 U.S.C. § 103

Claims 1, 6, 7, 9, 12, 20, 23, 24, 26 and 27 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over International Patent Publication No. WO 02/094148 to Mizutani et al. ("Mizutani")¹. Claims 10 and 11 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Mizutani in view of International Application Publication No. WO 99/26573, to Osborn, III ("Osborn"). As claim 7 is canceled without prejudice or disclaimer, the rejection of claim 7 is moot. Applicants amend claims 1, 11, 12, 23 and 24 to further define the nature of their invention, and respectfully traverse the rejection of claims 1, 6, 9 - 12, 20, 23, 24 and 26 under 35 U.S.C. § 103 (a).

In amended independent claim 1, Applicants claim:

1. An interlabial pad comprising:

a first sheet forming a surface side sheet configured contacting a body, the first sheet having a permeable property for liquid;

a second sheet independent from the first sheet and forming a back face side sheet configured to be positioned away from the body, the second sheet including a plurality of sheet pieces, each partially overlapping another sheet piece over a range of 5 to 15 mm;

an absorbent body for absorbing liquid, the absorbent body being disposed between the surface side sheet and the back face side sheet;

a junction joining the surface side sheet and the back face side sheet at a peripheral edge of the absorbent body, the absorbent body being enclosed thereby between the surface side sheet and the back face side sheet;

¹ The Examiner notes that U.S. patent Publication No. 2004/0158222 is an English language equivalent to Mizutani.

at least one seam part of the second sheet formed by overlapping the plurality of sheet pieces over one another, the seam part including:

a longitudinal seam part extending in a longitudinal direction over an entire length of the interlabial pad, crossing over the second sheet from an edge to another edge of the second sheet, and

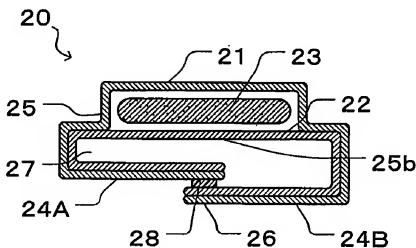
an adhesive agent applied between the sheet pieces at the longitudinal seam part along a longitudinal central line along the longitudinal direction,

wherein one of the plurality of sheet pieces, which overlaps another one of the plurality of sheet pieces at the longitudinal seam part and which covers a side of the other sheet piece that is closest to the longitudinal central line of the interlabial pad, is positioned at the absorbent body side of the second sheet, and wherein the sheet pieces are each formed of either a water disintegrable material or a biodegradable material to enable separation of the second sheet along the longitudinal seam part and the junction joining the surface side sheet and the back face side sheet so that the second sheet may into the plurality of sheet pieces when discarded by flushing.

(Emphasis added)

Mizutani discloses an interlabial pad having a mini-sheet piece attached to a side opposite to a body side of the interlabial pad (see, e.g., abstract of Mizutani). In applying this reference to the above-noted rejections, the Examiner makes reference to an embodiment depicted in Mizutani's

FIG. 18:



With reference to Applicants independent claim 1, the Examiner finds that Mizutani discloses an interlabial pad 20 including a first sheet 21 configured for contacting a body, an absorbent body 23, and a second sheet 22 forming a back face side sheet positioned away from the body. The Examiner suggests that flap portions 24A and 24B of Mizutani's interlabial pad 20 read on Applicants' claimed plurality of sheet pieces. Applicants respectfully disagree.

First, Applicants' plurality of sheet pieces are each claimed to overlap another sheet piece "over a range of 5 to 15 mm." The Examiner acknowledges that Mizutani does not disclose Applicants' claimed range.

More significantly, Applicants disagree with the Examiner's assertion that flap portions 24A and 24B comprise "a plurality of pieces" of the second sheet 22. Applicants submit that the term "pieces" is generally understood to refer to a separate part of a whole item.² With reference for example to FIGs. 21(A through 21(C) of Mizutani, it can be seen that flap portions 24A and 24B are formed from integral, extended portions of surface side sheet 21 and back side sheet 22. Therefore, flap portions 24A and 24B do not qualify as separate pieces of surface sheet 21 and back sheet 22, but are rather an inseparable part of the whole. In addition, even assuming *arguendo* that flap portions 24A and 24B do qualify to be considered to be pieces of a whole, they cannot be considered to be pieces of back side sheet 22, as they in addition include extended portions of surface sheet 21 (in other words, in this case, flap portions 24A and 24B must be considered to be more than just pieces of back sheet 22). For at least these reasons, Applicants submit that flap portions 24A and 24B are cannot be reasonably considered to be pieces of the second sheet 22.

In order to further clarify the nature of their invention, Applicants amend independent claim 1 to provide that “the sheet pieces are each formed of ... a water disintegrable material ... to enable separation of the second sheet along the longitudinal seam part and the along the junction joining the surface side sheet and the back face side sheet so that the second sheet may be dispersed into the plurality of sheet pieces when discarded by flushing.” Applicants submit that separation of Mizutani’s interlabial pad 20 along seam 28 junctions between surface side sheet 21 and back side sheet 22 will not disperse surface side sheet 21 and back side sheet 22 specifically into separate pieces representing flap portions 24A and 24B.

Applicants further amend independent claim 1 to clarify that the claimed longitudinal seam part extends over an entire longitudinal length of the interlabial pad. In sharp contrast, Mizutani’s seam 26 extends over only a portion of the longitudinal length of interlabial pad 20. Applicants also amend independent claim 1 to make clear that the absorbent body is enclosed between the surface side sheet and the back face side sheet formed by the plurality of sheet pieces as a result of the junction joining the surface side sheet and the back face side sheet. Applicants submit that the absorbent body 23 of Mizutani is not enclosed by a back face side sheet including a plurality of sheet pieces.³

Osborn discloses an individual packaged for assisting in the hygienic insertion of an interlabial pad (see, e.g., abstract of Osborn). Applicants respectfully submit that Osborn also fails to disclose or suggest the above-described elements of Applicants’ amended independent claim 1.

² See, e.g. the definition of “piece” at <http://dictionary.die.net/piece>.

³ If flap portions 24A, 24B are considered to be pieces of the back sheet 22, they are clearly not pieces of the back side sheet 22 that enclose the absorbent body 23.

Accordingly, Applicants respectfully submit that the above-described elements of Applicants' amended independent claim 1 are neither disclosed nor suggested by the interlabial pad of Mizutani, with or without the addition of Osborn, and that amended independent claim 1 therefore stands in condition for allowance. As claims 6, 9 - 12, 20, 23, 24, 26 and 27 each depend from allowable independent claim 1, Applicants further submit that dependent claims 6, 9 - 12, 20, 23, 24, 26 and 27 are also allowable for at least this reason.

Therefore, Applicants respectfully request that the rejections of claims 1, 6, 9 - 12, 20, 23, 24, 26 and 27 under 35 U.S.C. § 103 (a) be withdrawn.

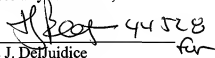
CONCLUSION

In view of the above amendments, Applicants believe the pending application is in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below once he has reviewed the proposed amendment if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

Dated: February 28, 2008

Respectfully submitted,

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